

REMARKS

Claims 1-60 are pending in this application. Claims 1, 15, 16, 22, 37-39, 41, 42, 47 and 51 are amended. Claims 53-60 are newly added. Claims 1-41 and 47-52 are withdrawn from consideration.

Restriction Requirement

The Examiner has requested an election under 35 U.S.C. § 121 among various inventions identified in the originally filed claims of the application, the claim groups and inventions being identified as:

- Group I Claims 1-36 and 47-50, drawn to an evaluation apparatus of a liquid crystal display device, classified in class 324, subclass 750;
- Group II Claims 37-40 and 51-52 drawn to an evaluation method of a liquid crystal display device, classified in class 324, subclass 765; or
- Group III Claims 41-46, drawn to a liquid crystal display device, classified in class 345, subclass 87.

Applicants' Election of Group III

In response to this restriction requirement, the Applicants elect, without traverse, Group III including claims 41-46 drawn to a liquid crystal display device classified in class 345, subclass 87.

Election of Species Requirement

Because Applicants elect Group III, the Examiner further requires an Election of Species be made from the following:

- i. species in which claim 41 drawn to a liquid crystal display device; and
- ii. species in which claims 42-46 are drawn to a different liquid crystal display device.

Applicants' Election of Species

Applicants elect species ii and note that claims 42-46 are readable on species ii.

Newly Added Claims and Additional Information

New Claims 56-58:

Applicants note that newly added claim 56 is generic to at least species i and species ii of Group III. Applicants also note that new claims 57 and 58 depend from claims 41 and 56, respectively.

Therefore, in light of the above elections and the newly added claims, Applicants respectfully submit that claims 58 and 42-46 read on Group III, species ii elected by the Applicants. Further, because claim 56 is generic to both species i and species ii of Group III, **claim 56 should be considered along with claims 58 and 42-46** and if allowed withdrawn claims 41 and 57 should be rejoined and allowed.

New Claims 53-55, 59 and 60:

Applicants respectfully submit that no new matter is added by claims 53-55, 59 and 60.

Lastly, Applicants note that the above elections do not change the inventorship of this application.

CONCLUSION

In view of the above elections, the Applicants submit that the present application is in condition for allowance. A notice to that effect is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge any underpayment or non-payment of any fees required under 37 C.F.R. §§ 1.16 or 1.17, or credit any overpayment of such fees, to Deposit Account No. 08-0750, including, in particular, extension of time fees.

Respectfully submitted,

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